

AMENDED

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. JUN 17 1987

Returned to applicant for correction. JUL 30 1987

Corrected application filed. SEP 01 1987 Map filed SEP 01 1987

The applicant. Oxbow Geothermal Corporation

200 So. Virginia Street - Suite 450 of Reno
Street and No. or P.O. Box No. City or Town

Nevada (89501) hereby make application for permission to change the
State and Zip Code No.

Point of Diversion and Place of Use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 36931
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Dixie Valley Geothermal Reservoir (Underground)
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 2.5 cfs up to 1810 acre feet per year
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Industrial (Power Generation)
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Industrial (Power Generation)
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, T24N, R37E, MDM, or at a
Describe as being within a 40-acre subdivision of public survey and by course and
point from which the Southwest corner of said Section 7 bears, S 50° 21' 53" W
distance to a section corner. If on unsurveyed land, it should be stated.

a distance of 5075.11 feet

6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, T24N, R36E, MDM,
If point of diversion is not changed, do not answer.
or at a point from which the South 1/4 corner of Section 36, T24N, R35E, MDM
bears S 54° 09' 57" W a distance of 20,412.49 feet

7. Proposed place of use NE $\frac{1}{4}$ Section 7, T24N, R37E MDM
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, T24N, R36E, MDM
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Geothermal well cased to BLM specifications,
State manner in which water is to be diverted, i.e. diversion structure, ditches,
pipng to transport fluid to power plant.
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$1.6 million
Completed under Permit No. 49573. (See

13. Estimated time required to construct works attached description.)

14. Estimated time required to complete the application of water to beneficial use Three years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Well will join with five others to generate 50 MW of electric power. Plant
will require 1875 cf/minute (31.25 cfs) and consume 6028 acre feet annually.

By s/Lori L. Orser
200 So. Virginia Street - Suite 450
Reno, Nevada (89501)

Compared bk/bc ijk/bc

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 36931 is issued subject to the terms and conditions imposed in said Permit 36931 and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is issued subject to existing rights. It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final right obtained under this permit will be dependent upon the amount actually placed to beneficial use. It is also understood that this right must allow for a reasonable decrease of fluid pressure and heat. The well shall be equipped and maintained to prevent any waste of the geothermal fluid. Accurate measurements must be kept of discharge of the production well and the amount of fluid injected into the injection well to determine the total amount of fluid diverted and consumed for a beneficial use.

The production and injection well are to be cemented from the producing levels to the surface to protect fresh water zones. This permit is issued subject to the condition that only geothermal fluids are to be diverted and used beneficially for heating purposes and fresh, cold water aquifers are not to be diverted. The used geothermal fluids are to be returned to the source via the injection well. The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies. A detailed log on the injection well and/or other analyses of the system used for returning the used geothermal fluids to the source must be submitted together with the Proof of Completion.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.5 cubic feet per second, but not to exceed a consumptive use of 1810 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before NOVEMBER 21, 1988

Proof of completion of work shall be filed before DECEMBER 21, 1988

Application of water to beneficial use shall be made on or before NOVEMBER 21, 1990

Proof of the application of water to beneficial use shall be filed on or before DECEMBER 21, 1990

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed DEC 23 1988

Proof of beneficial use filed 5-29-89

Cultural map filed _____

Certificate No. 12907 Issued JUL 26 1991

IN TESTIMONY WHEREOF, I PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 13th day of MAY,
88
A.D. 19
Peter G. Morros
State Engineer

Permit Terms Continued

An annual report for this well must be filed under this permit describing the amount of geothermal fluid diverted and consumed to a beneficial use for the calendar year. This report must detail the amount of fluid produced and injected.

The total withdrawal of the geothermal fluid shall be limited to 1810 acre-feet per year but the total combined consumptive use of the geothermal fluid under Permits 41892, 41920, 41929, 43050, 43052, 46951, 47142, 47322, 47323, 48932, 48933, 48934, 48935, 49572, 49573, 49574, 49644, 49802, 49803, 51029, 51030, 51031, 51032, 51033, 51034, 51035 and 51036 shall not exceed 10,704 acre-feet annually. The State Engineer does not waive the right to make a determination of consumptive use at any time and impose additional conditions thereto. This permit is further issued subject to the provisions of NRS 533.372(1) and with the understanding that the power or energy generated by the beneficial use of this water or steam is subject to recapture and use within the boundaries of the State of Nevada when the need arises.

